

July 30, 2003

Public Notice for 401 Certification

Fay Slough Restoration Project WDID No. 1B03131WNHU Humboldt County

On July 14, 2003, the North Coast Regional Water Quality Control Board (hereinafter Regional Water Board) received an application from Ms. Karen Kovacs on behalf of California Department of Fish and Game (hereinafter applicant), requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the restoration of Fay Slough located at the northern city limits of Eureka adjacent to U.S. 101 in Humboldt County. The proposed project will cause disturbances to wetland habitat associated with Eureka Plain Hydrologic Unit No. 110.00.

The purpose of the project is to enhance approximately 3.0 acres of wetlands and upland habitat located within Fay Slough Wildlife Area. This project is being implemented by the applicant in conjunction with the California Waterfowl Association. The project area is located on reclaimed former tideland created when the railroad and then Highway 101 were constructed along Humboldt Bay. Currently, vegetation is dominated by non-native grasses, weeds, vetch and clover.

The applicant is proposing to excavate basins within and adjacent to existing inundated sloughs and retain surface water longer using small flow control structures. The stated project goals are to:

- create topographic complexity;
- interrupt artificial drainage patterns and retain surface water long enough to encourage the growth of native wetland species; and
- provide open water for resting and feeding sites for water fowl.

One 3.0-acre basin will be excavated up to 12 inches in depth with side slopes of 10:1. Approximately 11,400 cubic yards of fill will be removed to create the basins. The excavated material will be placed on top of an existing perimeter levee and seeded for erosion control.

The applicant has applied for Nationwide Permit No. 27 from the United States Army Corps of Engineers, pursuant to the Clean Water Act, Section 404, and is in the process of applying for a Class 4 Categorical Exemption under Section 15304 of the California Environmental Quality Act (CEQA). Certification pursuant to Section 401 of the Clean Water Act cannot be finalized until a determination has been made pursuant to CEQA and supporting documentation forwarded to this office. No Lake or Streambed Alteration Agreement (1603 Permit) from California Department of Fish and Game is required.

The project is scheduled to take approximately three weeks between July and October 2003.

Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Jill Montgomery by phone at (707) 576-6711, or e-mail montj@rbl.swrcb.ca.gov within 21 days of the posting of this notice.